

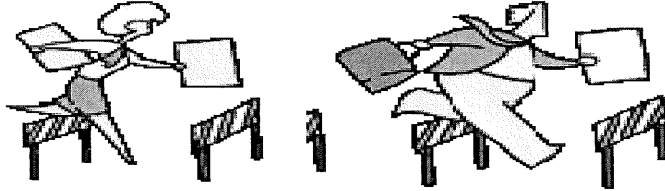


# CITY OF MILPITAS

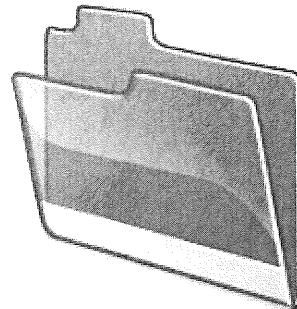
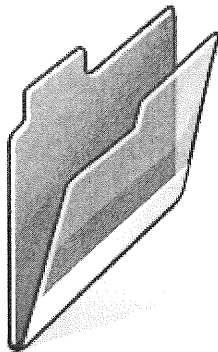
455 EAST CALAVERAS BOULEVARD, MILPITAS, CALIFORNIA 95035-5479  
GENERAL INFORMATION: 408-586-3000, [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov)

6/19/2018

Agenda Item No. 6



## ATTACHMENT RELATED TO AGENDA ITEM AFTER AGENDA PACKET DISTRIBUTION



## Mary Lavelle

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**From:** Tim Wong  
**Sent:** Tuesday, June 19, 2018 11:40 AM  
**To:** Mary Lavelle  
**Subject:** FW: Concern about Grandfather Period for Inclusionary Zoning Ordinance

Mary,

FYI.

Tim

**From:** Mathew Reed [mailto:mathew@siliconvalleyathome.org]  
**Sent:** Monday, June 18, 2018 11:46 PM  
**To:** Rich Tran <rtran@ci.milpitas.ca.gov>; Bob Nuñez <bnunez@ci.milpitas.ca.gov>; Garry Barbadillo <gbarbadillo@ci.milpitas.ca.gov>; Anthony Phan <aphan@ci.milpitas.ca.gov>; Marsha Grilli <mgrilli@ci.milpitas.ca.gov>; Tim Wong <twong@ci.milpitas.ca.gov>  
**Subject:** Concern about Grandfather Period for Inclusionary Zoning Ordinance

City Clerk's Office

JUN 19 2018

RECEIVED

Mayor Tran, Vice Mayor Grilli, Councilmembers Nunez, Barbadillo and Phan.

First, I want to thank you for your actions last week in passing an updated Inclusionary Zoning Ordinance. This was a strong statement, and a significant step for Milpitas's affordable housing programs. We look forward to the return of the Commercial Linkage Fee for council action in the near future.

Unfortunately, in the past few days it has been brought to our attention that we failed to notice the lack of a grandfather period in the policy you passed last week. Generally, increases in the inclusionary rate, and the extension of Inclusionary Zoning Ordinances to rental housing, are accompanied by a phase-in or grandfather period that allows the pipeline for projects in advanced stages of development to clear before the new policy becomes effective. The goal is to avoid disrupting projects that have been developed under a certain set of assumptions about financing and costs.

Under the ordinance approved last week an application would need to be "deemed complete" within 30 days of the second reading of the ordinance. This would set a certification deadline of July 19th. This is not an effective grandfather period for projects in advanced stages of development. We would recommend that council consider amending your ordinance to state that projects that have submitted a planning packet prior to July 19th, and that receive staff's certification that the application is complete before January 1, 2019, would be covered under the current 5% inclusionary policy.

The second reading of the updated Inclusionary Zoning Ordinance has been placed on the consent calendar for tomorrow's meeting. This will be the opportunity to make the adjustment to the effective date and grandfather period of the program.

Please feel free to contact me if you have any questions or concerns.

Thank you again for the work that you do.

Mathew Reed  
SV@Home  
(408)799-4349

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